

ORDINANCE NO. 2010.06

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF TEMPE, MARICOPA COUNTY, ARIZONA PURSUANT TO THE PROVISIONS OF TITLE 9, CHAPTER 4, ARTICLE 7, ARIZONA REVISED STATUTES, AS AMENDED, TO INCLUDE THE MILLER ROAD RIGHT-OF-WAY IMPROVEMENT PROPERTY AS DESCRIBED IN INTERGOVERNMENTAL AGREEMENT C 64-03-123-2 AND THE ATTACHED EXHIBITS.

WHEREAS, the City of Tempe and Maricopa County previously entered into Intergovernmental Agreement C-64-03-123-2, pursuant to which the City acquired and agreed to annex certain Right-of-Way located along the Miller Road alignment in an unincorporated area of Maricopa County; and

WHEREAS, the City of Tempe desires to complete the annexation of the property comprising the Miller Road Right-of-Way, which property is more particularly described on the attached Exhibit "A", and shown on the attached Exhibit "B"; and

WHEREAS, the City has determined that the provisions of A.R.S. 9-471, as amended, have been fully observed and complied with; and

WHEREAS, the Mayor and Council of the City of Tempe desire to increase the corporate limits of the City of Tempe to include said property.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPE, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

Section 1. That the territory known as the Miller Road Right-of Way Improvement, described in Exhibits "A" and "B" attached hereto, be, and the same hereby is, annexed to the City of Tempe, and that the present corporate limits of the City of Tempe, be, and the same hereby are, extended and increased to include that territory.

Section 2. That a certified copy of this ordinance, together with an accurate map of the territory annexed to the City of Tempe, be recorded in the office of the County Recorder of Maricopa County, Arizona.

Section 3. The Mayor is hereby authorized to execute any documents that may be necessary to implement this Ordinance. Pursuant to City Charter, Section 2.12, ordinances are effective thirty (30) days after adoption.

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PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA

This 22nd day of April , 2010 .

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney